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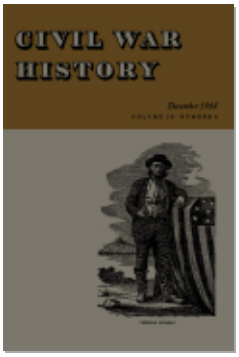

Civil War History, Volume 10, Number 4, December 1964, pp. 401-415 (Article)

Published by The Kent State University Press
DOI: *https://doi.org/10.1353/cwh.1964.0040*

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THE MAINTENANCE OF INTERNAL SECURITY IN IOWA, 1861-1865

H. H. Wubben

TWO SECURITY PROBLEMS proved of frequent concern to state officials in Iowa during the Civil War. They feared outbreaks of violence in the southern border counties where secession sympathizers were expected to ally themselves in common cause with "Missouri rebel" marauders. They also believed that Iowa's vocal Copperhead minority stood ready to promote opposition to the Lincoln administration's war policy and to aid the South in its fight for independence. Neither expectation was wholly without foundation, although Iowa's officialdom and its loyalist citizens consistently exaggerated both threats.

The presumed danger on the border held priority during the first year of the war. Beginning in December, 1860, and continuing throughout 1861, southern Iowans felt the backlash of violent "secesh"-loyalist clashes in northern Missouri. Some Missourians from both camps moved into Iowa to escape the conflict, only to find that their presence sharpened the antagonism which existed between their Iowa counterparts.[1] Republican Governor Samuel J. Kirkwood and the state legislature, in special session after the firing on Fort Sumter, took steps to strengthen the state militia and the many hastily organized "home guard" units in southern Iowa.

In the summer of 1861 rumors of impending raids by Missourians prompted a Kirkwood aide-de-camp, Cyrus Bussey, to commandeer a trainload of one thousand guns destined for Federal troops in the Council Bluffs-Omaha region. Bussey quickly distributed the weapons among military companies in southern border towns. His precipitate action pleased the loyalists in the area and the governor, though not the Federal officer at Council Bluffs for whom the guns had been intended. These weapons were actually put to use in one minor border engagement between Iowans and Missourians in southeast Iowa. That

[1] J. H. Harvey *et al.* to Samuel J. Kirkwood, Jan. 18, 1861, Adjutant General's Correspondent, Disloyal Sentiment File, 1861-1866, Iowa Historical Dept. (IHD), Des Moines. Paradoxically, the first "invasion," occurring in Dec., 1860, was a foray into Iowa's southwestern corner by so-called Union Jayhawkers who harassed suspected secession sympathizers there.

was the so-called battle of Athens, in which a Missouri cannon ball did land on Iowa soil.[2] For the most part, however, the border citizens lived in a state of tension throughout the rest of the year, their worst fears going unrealized.

Elsewhere, feelings ran high between whole-hearted supporters of the war and those who counseled caution and compromise. State officials did not become engaged in any campaign in 1861 to suppress opposition voices. But this did not deter loyalist zealots from embarking upon such activities on their own. In Dubuque, for example, Dennis Mahony, fiery Democratic politician-editor, later to become known as one of the most astute and outspoken anti-war voices in the Midwest, came under attack by political, personal, and business opponents. Dubuque city and county officials aided by a company of soldiers prevented a mob from destroying Mahony's Dubuque *Herald* in July. Other *Herald* opponents took an indirect approach. They began to cull materials from Mahony's columns by which they hoped to prove to the governor that the editor was disloyal. Chief among this group was William B. Allison, soon to win election to Congress in a race against Mahony, Allison's first step in a long and successful political career.[3] This drive to silence the Dubuque leader was a portent of things to come in succeeding years, although such activity took place only on a limited scale in 1861.

Two men who were to figure prominently in security administration in Iowa during the war got their start in 1861. For his adjutant general, Governor Kirkwood selected a member of the state legislature and "War Democrat," Nathaniel B. Baker.[4] Baker's duties included directing the organization of the state's active-duty regiments, militia, and home guard units. He gradually became involved also in the state's efforts to clamp down on alleged disloyalists and their activities. The other figure was the United States marshal for Iowa, Herbert M. Hoxie, who had received his post upon Kirkwood's recommendation. To Hoxie, railroad builder and chairman of the state Republican party, fell the task of mapping and carrying out those measures by which state and federal officials jointly sought to silence opponents of the war and to uncover elements supposedly engaged in giving aid and comfort to the enemy.

[2] Cyrus Bussey to Kirkwood, July 27, Aug. 2, 1861, Kirkwood Box K567-K6367, IHD; Kirkwood to Grenville M. Dodge, Sept. 8, 1861, Dodge Correspondence, IHD; Ben F. Dixon, "Battle on the Border: Athens, Missouri, August 5, 1861," *Annals of Iowa*, 3rd. Ser., XXXVI (1961), 1-15.

[3] William B. Allison to Nathaniel B. Baker, Sept. 17, 1861, Disloyal Sentiment File.

[4] Iowa's Baker should not be confused with Lafayette C. Baker, special provost marshal for the U.S. War Dept. in Washington.

By 1862, many Iowa loyalists, public officials and private citizens alike, were in a mood to take such measures. The southern border was stirring again, and opponents of the war began to speak out more boldly, frequently in an inflammatory manner. Nevertheless, there was no eagerness among some thoughtful Iowans to embark hastily upon a full-blown program of silencing critics and rooting out suspected subversive organizations. Several wrote to Governor Kirkwood asking for guidelines. Specifically, they wanted to know what constituted legal and illegal opposition to war policy. Kirkwood's trusted private secretary, Nathan Brainerd, answered these queries. It was, he said, legal to express sympathy for the Confederates and it was legal to hold meetings for "whatever purpose." It was not legal to commit acts in violation of laws passed to carry out war policy; but evidence of such acts must be "definite and tangible." Brainerd further stipulated that "vague rumor or vague statement" did not constitute acceptable evidence.[5]

Brainerd's directions were good, but the pressure of events was such that moderation was difficult to practice as a policy. Persons accused of being "rebel recruiters" were jailed in southern Iowa.[6] On the other hand, recruiters for Iowa's army regiments suffered rough treatment at the hands of "disloyalists" in southeastern and south central Iowa.[7] Rumors of the existence of Knights of the Golden Circle lodges appeared with increasing frequency in newspapers and private correspondence. Worried state officials assumed the worst and began to anticipate violent action on the part of the K.G.C. against federal tax-collectors and against draft enrollment officials.[8] Stimulating the excitement was an increasing political partisanship. Republicans, who were heavily in the majority in Iowa, capitalized on the facts that the alleged lodges and most of the unrest occurred in Democratic areas and that Democrats themselves were sharply divided on the issue of war or conciliation. In effect, Republicanism tended to become synonymous with loyalty to the discomfiture of political opponents. Six Democratic newspapers, largely because of this, were eventually to be partially or completely destroyed by mob action in wartime Iowa, although no state officials condoned such acts.

By August, 1862, the tension neared a peak. In Keokuk this was reflected in orders given to his men by the commander of the city guard.

[5] Governor's Letterbook (Kirkwood) (IHD), pp. 126, 169, 224, 236, 242, 259.
[6] Des Moines *Register*, Apr. 27, May 10, 1862.
[7] U.S. War Dept. (comp.), *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, 1880-1901), Ser. III, II, 265-266 (hereafter cited as *OR*, with all references to Ser. III unless otherwise noted); Des Moines *Register*, July 31, Aug. 2, 1862.
[8] Knoxville *Republican*, in Des Moines *Register*, May 24, 1862; Montezuma *Republican*, in *ibid.*, June 12, 1862; *OR*, II, 403-404.

He charged them to report to him "even the slightest [evidence of] ill feeling toward the Union." He also directed them to form small groups to investigate places where disloyal sentiment might exist.[9] And on August 14, Marshal Hoxie embarked upon a series of arrests of outspoken critics of the war and of K.G.C. "leaders." First and most important of those caught in Hoxie's net was Mahony, whose barbed editorial assaults on Republican politicians and war policies had made him a prime target. Arrested also a few days later were editor David Sheward of the Fairfield *Constitution and Union* and Gideon S. Bailey, long a prominent Democratic figure in the state. Hoxie's drive, which lasted roughly from mid-August until the latter part of September, lodged at least thirty-seven persons in jail, twenty-eight of whom he arrested in August. Hoxie believed in the use of overpowering force. He employed several assistant marshals and a squad of soldiers while apprehending Mahony at four in the morning at the latter's home in Dubuque. He used a similar force to arrest seven alleged K.G.C. officers in turbulent Madison County in southern Iowa. Hoxie was at his flamboyant best when he took Sheward into custody. He commandeered a locomotive and several railroad cars in Burlington for his journey in force to Fairfield and back.[10]

While Hoxie's most noteworthy captive was Mahony, it is apparent from correspondence between the marshal and Governor Kirkwood that his major aim was to break up a presumably widespread K.G.C. network. Governor Kirkwood believed that Hoxie needed even greater authority for this task, and he wrote Secretary of War Edwin Stanton asking that he grant the marshal "extraordinary powers."[11] Eleven days later Hoxie informed Kirkwood that he posessed secret information on the state organization of the Knights and would shortly make arrests "at their headquarters."[12] He also claimed to have an "experienced detective" spying on the Madison County lodges. Hoxie maintained clear lines of communication with the influential Republican organ, the *Iowa State Register*, published at the capital city, Des Moines. The *Register* solemnly printed allegations that the Madison County Knights totaled "several hundred" and that there were "several thousand" in the entire state. The paper also reported that Hoxie possessed all the "secrets" of the organization.[13] Hoxie also kept Washington well in-

[9] Burlington *Hawkeye*, Aug. 14, 1862.

[10] Dubuque *Herald*, Aug. 14-15, 1862; Keokuk *Gate City*, Aug. 27, 1862; Charles J. Fulton, *History of Jefferson County, Iowa* (Chicago, 1914), I, 355; Dennis Mahony, *Prisoner of State* (New York, 1863), pp. 117-120; Des Moines *Register*, Sept. 16, 1862.

[11] Kirkwood to Edwin Stanton, Sept. 11, 1862, Military Correspondence (Kirkwood), G II, 654, IHD.

[12] Herbert M. Hoxie to Kirkwood, Sept. 22, 1862, Disloyal Sentiment File.

[13] Des Moines *Register*, in Keokuk *Gate City*, Sept. 24, 1862.

formed. For his efforts he received a commendation from the judge-advocate's office in the War Department. He was urged to arrest "all such persons as are influential and of character sufficient to have a leading influence, taking ample proofs that they are members [of the K.G.C.]. . . ." Washington also advised Hoxie that he could "act with more promptness by making arrests by order of Governor Kirkwood."[14]

But Hoxie's burst of activity came quickly to an end. And the eagerly anticipated breakup of the Knights' "state headquarters" and "organization" largely disappeared from the speculative columns of Iowa's newspapers for the rest of 1862.

Most of those arrested by Hoxie in August and September were released without trial and without official charges being placed against them. Some, including Bailey, secured their freedom in a matter of days. Editors Mahony and Sheward, sent to notorious Old Capitol Prison in Washington, were freed in November, but only after they took an oath of loyalty which included a pledge not to sue the arresting officer.[15] Neither man was formally charged with any violation of the law. But Iowa newspapers printed what were normally assumed to be the major charges against the August-September arrestees. These were: membership in organizations pledged to resist the draft; discouraging enlistments; and conspiracy against the federal government.[16] The charges, on their face, came clearly within the scope of Secretary of War Stanton's August 8, 1862, orders to United States marshals to apprehend anyone "seeking to discourage volunteering, giving aid and comfort to the enemy, or through writing, speech, or act engaging in any disloyal practice. . . ."[17]

In the meantime, Governor Kirkwood and Adjutant General Baker were supervising the establishment of a special "Border Brigade" to discourage excursions into Iowa by Missouri Jayhawkers and to prevent trouble between Iowans of opposing camps in the southern border regions. Residents in those areas differed among themselves as to the necessity for the brigade and assorted home guard units. A petition to Kirkwood from Davis County complained that the brigade performed no useful function except to serve as a haven for (potential) draft dodgers.[18] The petition prompted a vigorous dissent from a brigade officer in the area.[19] A Republican correspondent from another southern county supported the contention of Democrats there that the guards

[14] *OR*, Ser. II, IV, 567-568. [15] *Ibid.*, Ser. II, V, 117-119.

[16] See especially the Des Moines *Register* and Keokuk *Gate City* for Aug.-Sept., 1862.

[17] *OR*, II, 321-322.

[18] John Wilson *et al.* to Kirkwood, Nov., 1862, Military Correspondence, G II, 654.

[19] Hosea Horn to Kirkwood, Nov. 26, 1862, *ibid.*

were a mixed blessing. Local Republicans, he charged, took advantage of the situation by untruthfully labeling individual Democrats "secesh" and reporting them to the guard units out of spite.[20] Confounding the issue in this county (Taylor) was a report from a guard captain in the small town of Platteville. Platteville "secesh" were numerous and vocal, he claimed. Continuous guard patrol only heightened the tension. Consequently he recommended that his unit limit its activity to periods of real emergency.[21]

Governor Kirkwood by February, 1863, was extremely discouraged. He reported to members of the state's congressional delegation in Washington that "Disloyalty is becoming daily more bold and defiant in Iowa. Men are now saying openly and daily what no man dared to say a year ago and really many people are afraid of an outbreak at home."[22] Reports of disloyal secret society activities continued to circulate through the state. Particularly intriguing, therefore, is the following portion of a letter written in February by one Iowa Democratic stalwart to another, both of whom were frequently labelled disloyalists by angry Republicans. "The Republicans," it ran, "charge the democrats with being members of the KGC . . . if they know of such an order with us they are better informed than I am." Just as revealing are the succeeding three sentences: "I have always opposed secret political organizations. But some claim that the exigencies of the times demand them. What is your opinion?"[23] Whether or not aggrieved Democrats knew of or belonged to secret societies, Governor Kirkwood and Marshal Hoxie still believed such organizations did exist and were causing serious trouble. They most feared an outbreak from these sources in precisely the very county, Madison, and adjacent counties where Hoxie had exerted some of his strongest efforts the previous September. Both Hoxie and Kirkwood dispatched letters to the War Department expressing their concern. They asked for arms for loyal citizens and a provost guard of one hundred mounted troops to cope with the situation.[24] Militia Captain Hosea Horn in Davis County provided substance for their concern. He reported the kidnapping and "expulsion" into Missouri of a Negro laborer by disloyalists. Local sentiment made it impossible to punish the kidnappers, Horn declared.[25] Kirkwood also anticipated organized resistance if Iowa were forced to draft men for military service. He, therefore, urgently requested an

[20] J. A. Hewes to Kirkwood, Dec. 30, 1862, Disloyal Sentiment File.
[21] John Flick to Baker, Jan. 5, 1863, *ibid.*
[22] Kirkwood to James Grimes, James Harlan, and James Wilson, Feb. 3, 1863. Military Correspondence, G II, 654.
[23] Charles Negus to Charles Mason, Feb. 11, 1863, Mason Correspondence, IIID.
[24] *OR*, IV, 62.
[25] *Iowa Adjutant General's Report 1863* (Des Moines, 1864), II, 677-678.

additional five thousand guns, with ammunition, to be distributed to loyal men across the state.[26]

In late February, responding to the entreaties of worried loyalists at Winterset in Madison County, Kirkwood directed Adjutant General Baker to send them arms immediately.[27] Kirkwood also informed the War Department that Confederate soldiers and Missouri guerrillas fleeing from Federal troops were crossing into Iowa and aggravating the explosive internal situation. In addition, the governor forwarded the request of a collector of internal revenue in southern Iowa who believed the state should be put under martial law and U.S. marshals empowered to remove "disloyal" public officials and disarm known Southern sympathizers.[28] When the threat of the draft decreased, however, an uneasy calm returned temporarily to the region.

Governor Kirkwood was also involved in another problem in the late winter and early spring of 1863. Informants reported that Iowa soldiers stationed at Benton Barracks outside of St. Louis were receiving letters from home counseling them to desert. Accordingly on March 28, he issued a proclamation to Iowa soldiers in the field urging them to collect and send such letters to him so that the state could take action against the writers.[29] Marshal Hoxie followed Kirkwood's lead soon after. He wrote General Grenville M. Dodge and asked for indictments against the offenders when the evidence arrived.[30]

Other letters also came to Kirkwood's and Baker's notice. These were alleged to be Knights of the Golden Circle documents written in Dubuque. They proved a crude mixture of "code," gibberish, and fragmentary sentences which sounded ostensibly conspiratorial. Three in number, they are the only materials now in the Iowa archives which the state could claim as first-hand evidence of this supposedly widespread and powerful society.[31] Apparently neither the governor nor the adjutant general considered them authentic. On most correspondence crossing their desks which they believed to be uniquely important they appended notes or instructions to each other regarding the subject and its disposition. There are none on these. Ironically, only a little over a month later the Dubuque *Herald* called upon Democrats to form an organization in every school district in the state in order to protect

[26] *OR*, IV, 66-72.

[27] Endorsement, Kirkwood to Baker, on J. M. Holiday to Kirkwood, Feb. 23, 1863, Disloyal Sentiment File.

[28] *Adjutant General's Report 1863*, II, 877; *OR*, III, 82-84.

[29] *Adjutant General's Report 1863*, II, 699-700.

[30] Hoxie to Dodge, Apr. 14, 1863, Dodge Correspondence.

[31] "W. A. Chief of ——d division, Western Department of the K.G.C." to "My Dear Brother of the X - X Order of the K.G.C.," May 9, 1863, A-E folder, Disloyal Sentiment File; "Order No. 198," 1863, *ibid.*; "Order No. 199," 1863, *ibid.*

themselves against loyalist vigilante groups.[32] And in response to requests from some *Herald* subscribers, the editors sent to New York for eight Colt revolvers. But the collector at the port of Dubuque impounded the weapons when they arrived at the river city. He acted, he declared, under orders which permitted no entry into Iowa of arms or powder unless destined for military authorities.[33]

The *Herald* continued infrequently to press the case for formation of defense societies among Democrats, apparently with no success. Leading figures in the party occasionally wondered privately whether it might not be wise to organize some secret groups to counteract secret Republican groups. Finally on February, 1864, editor William Merritt of the Des Moines *Statesman* confided to another influential Democratic figure, Charles Mason, that he saw no alternative to the formation of secret societies if Democrats were to save the nation from catastrophe.[34] Merritt made no move in this direction, however, nor did any other leading Iowa Democrat so far as can be determined.

For a period of time after the winter of 1862-1863 state and federal officials felt more free to turn their attention from exclusive concentration on southern border problems and secret societies to individual critics of war policy, by this time commonly called Copperheads. In May a group of convalescent soldiers from Keokuk's military hospital "arrested" Henry Clay Dean, noted Iowa land speculator, former Methodist minister, and a highly articulate opponent of the war. The soldiers turned Dean over to J. M. Heath, provost marshal for southeast Iowa. The delighted Heath informed Hoxie and James Dwight, provost marshal general of the Department of the West at St. Louis. Heath and Dwight hoped to find enough evidence of disloyalty against Dean to justify removing him to St. Louis, thence to take him to the front lines and thrust him across to Confederate territory *à la* Clement Vallandigham. The evidence was not forthcoming, however, and Heath reluctantly released the unrepentant Iowan on June 11.[35]

Hoxie at the same time launched another offensive against the opposition. "The U.S. Circuit Court is in session at this place," he wrote General Dodge from Des Moines, "and of course I am at home. I have made the Copperheads howl and will continue to give them hell."[36] The marshal and his deputies operated freely in most areas, ignoring writs of habeas corpus issued in behalf of their victims.[37] Provost mar-

[32] Dubuque *Herald*, Apr. 12, 1863. [33] *Ibid.*, Apr. 26, 1863.

[34] Entry of Oct. 22, 1863, Charles Mason Diary, IHD; William Merritt to Mason, Feb. 21, 1864, Mason Correspondence.

[35] *OR*, Ser. II, V, 757; Henry Clay Dean to Mason, May 30, 1863, Mason Correspondence.

[36] Hoxie to Dodge, May 21, 1863, Dodge Correspondence.

[37] Hoxie to Kirkwood, Nov. 9, 24, 1862, Disloyal Sentiment File; Des Moines

shals in the several congressional districts likewise ignored such writs as they followed Hoxie's example in rounding up individuals accused of willfully opposing the war. Some of these arrests were capricious. The provost marshal in the Ottumwa district apprehended a man accused of "hurrahing Jeff Davis" and sent him to Keokuk for confinement.[38] When four southern Iowa men appeared in Des Moines in July to press for the release of a fifth accused of "conspiring in treasonable organizations," Hoxie jailed them also.[39] There may have been some truth to Hoxie's boast to General Dodge, later that month, that Copperheads "skipped out" of town when he arrived in his forays around the state.[40] Hoxie's pace and those of his deputies, the provost marshals, and their assistants was such that the Des Moines *Register* for several weeks during the summer ran a standing headline reading "Arbitrary Arrests." Sometimes there would be two headlines in the same issue, the second reading "More Arbitrary Arrests." Procedures for handling arrest victims in 1863 varied. Some were released almost immediately without charge. Others secured their discharge on bail and never underwent further prosecution. Some received paroles after serving short periods of detention. A few, released on bail, traveled several times to Des Moines or to another district court site to be tried, only to find each time that their cases had been continued to another term of the court. Most cases eventually were dropped altogether.[41]

Adding to the tension in Iowa during this period of daily arbitrary arrests in 1863 was the general expectation that a military draft was at last forthcoming. State officials and the provost marshals prepared for the worst. Although the provost marshals, being directly under the War Department, possessed primary responsibility for enforcing a draft, state Adjutant General Baker on July 14 issued an order directing volunteer guard units to help the marshals in carrying out their duties when assistance was requested. Baker's order further declared that where guard units did not exist, "loyal men" should organize their own, report to him, and secure arms.[42] The anxiety of Iowa officials regarding potential draft violence impressed General John Pope, commander of the Department of the Northwest. Pope informed Washington that the army

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Register, Apr. 1, June 3, 1863. This was common practice during this period under Pres. Lincoln's proclamation of Sept. 24, 1862, and the Habeas Corpus Act of 1863. See James G. Randall, *Constitutional Problems Under Lincoln* (Urbana, 1951), pp. 151-153, 163-168.

[38] Ottumwa *Courier*, in Charles City *Intelligencer*, June 18, 1863.

[39] Des Moines *Register*, July 8, 1863.

[40] Hoxie to Dodge, July 25, 1863, Dodge Correspondence.

[41] Burlington *Argus*, Oct. 13, Nov. 12, 1863; Des Moines *Register*, Nov. 18, 1863; Washington *Democrat*, July 21, 1863; Keokuk *Constitution*, June 2, 1864.

[42] *Adjutant General's Report 1863*, II, 718-719.

might have to return two Iowa regiments to the state to enforce a draft, should one be required.[43] In the emergency Governor Kirkwood directed Adjutant General Baker to try to get arms to one company in "every considerable county" and more to Dubuque if needed.[44]

Kirkwood's concern about Dubuque was probably justified. The city and county contained a high percentage of foreign-born residents, primarily Irish and Germans, who displayed little enthusiasm for the war, much less for a draft. A Republican correspondent told the governor that near-riot conditions prevailed in the city and urged him to send state troops to keep order.[45]

Two other factors added to the tension in Dubuque that summer. First, on August 12 marshals tried to arrest two men suspected of desertion. In the resulting gun battle one of the alleged deserters was killed, the other badly wounded. Though the coroner's verdict was that the victim was "shot willfully by an unknown person," the grand jury failed to return an indictment. The jury's action enraged numerous partisans in heavily Democratic Dubuque.[46] Second, Kirkwood proceeded forthrightly to arm members of the Union League (a militant patriotic organization) in Dubuque to "keep down mobs, to sustain the laws and assist the provost marshals in the execution of the draft." The fact that Kirkwood also made the speech at a Union League rally in Dubuque during the 1863 election campaign resulted in Democratic accusations that the governor was trying to "intimidate" the electorate.[47] Kirkwood was not a candidate for reelection at the time but was campaigning dutifully for the Republican nominee for the office, Colonel William Stone, battle-hardened former commander of the 22nd Iowa Infantry.

Kirkwood had to make another display of armed might that summer. A clash between political partisans resulted in the killing of a Copperhead minister at the town of South English, in southeastern Iowa. Friends of the murdered man numbering a few hundred threatened retaliation in force. They assembled sixteen miles from South English but hesitated to move. Kirkwood quickly dispatched eleven militia companies into the area and the opposition melted away.[48]

The explosive summer of 1863 drew to a close without further violence. Patriotic Iowans volunteered for service in sufficient numbers

[43] *OR*, III, 520-521. [44] Governor's Letterbook (Kirkwood), p. 409.
[45] Frederick E. Bissell to Kirkwood, July 20, 1863, Adjutant General's Correspondence, Adj. III (151), IHD.
[46] Franklin Oldt and P. J. Quigley (eds.), *History of Dubuque County, Iowa* (Chicago, n.d.), p. 299; Dubuque *Herald*, Aug. 20, 1863.
[47] *Ibid.*, Aug. 27, 1863.
[48] *Adjutant General's Report 1863*, II, 687-691.

to ward off a draft, and the election resulted in an unexpectedly overwhelming Republican sweep. The border remained tense, but Marshal Hoxie's arrests dwindled in number from an estimated forty-seven in March (all related to desertion or refusal to enroll for a draft) and sixty-two in July and August combined.

Kirkwood's successor, Governor Stone, retained Baker as adjutant general. These two, along with Herbert Hoxie, continued the policies of the previous administration respecting the suppression of alleged disloyal elements and pacification of the southern border. Stone tended, somewhat more than Kirkwood, however, to see traitors behind every bush. He also maintained privately that two-thirds of Iowa's Democrats were disloyal.[49] He insisted that all appointees to office, including notary publics, be endorsed by "loyal" people.[50]

With Stone's backing, the state legislature passed a compulsory militia enrollment law in the spring of 1864. Baker fell heir to the difficult task of supervising the organization of the units being formed. The difficulty was compounded by a deluge of letters in July and August from informers who warned him about the political unreliability of certain prospective officers and, occasionally, of entire units. By the end of August the adjutant general had tired of reading such denunciations. But Stone favored no letup in the task of determining the loyalty of men and companies. He believed there were yet 33,000 active members of secret societies along Iowa's southern border. Baker should be especially careful, the governor declared, to select the right persons for militia posts in that part of the state.[51] By January, 1865, however, even Stone agreed that the task of ascertaining the loyalty of the guardsmen had best be left to local committees.[52]

Southern Iowa remained a source of concern through 1864. Over half of the state's arms were assigned to guard units in that area. Still aggravating to officials were the occasional bands of marauders who came in from Missouri, pillaged the populace, and vanished back across the border. In September, Baker in exasperation issued a harsh general order to the Border Brigade telling how to deal with such persons. No reports would be "required" by him of prisoners, and, he added, "any officer who takes as a prisoner any guerilla, murderer, thief, or marauder of such armed band, will at once be dismissed from the state service." He furthermore prohibited the use of blank cartridges "for

[49] William F. Stone to Baker, Aug. 12, 1864, Disloyal Sentiment File.

[50] Governor's Letterbook (Stone), p. 319. See also *ibid.*, pp. 181, 189, 281, 288-290, 292, 319-320, 331-332, 361, 365-366, 637, 664.

[51] Endorsement by Stone, on N. E. Rice to Baker, Aug. 27, 1864, Disloyal Sentiment File; *Iowa Adjutant General's Report 1864* (Des Moines, 1865), pp. 883-886.

[52] Stone to Col. (name illegible), Jan. 31, 1865, Disloyal Sentiment File.

preserving public peace" and threatened to dismiss from service anyone who used them.[53]

Shortly after Baker issued this order, the most systematic and cold-blooded raid of the war by guerrillas hit Davis County. Twelve men disguised in Union army attire rode into Davis from Clark County, Missouri, robbed nearly a score of individuals, destroyed household weapons in homes along their path, kidnapped several persons, murdered three men, and finally withdrew into Missouri twelve hours later. A militia unit, five hours behind the invaders, could not overtake them. Authorities immediately established an active border patrol in that area. Another skirmish on November 7 resulted in the death of an Iowan. Two of the marauders were caught the next day, Baker's order not being followed to the letter. In succeeding days the patrol captured numerous border crossers, all of whom were handed over to Missouri authorities.[54] One other minor action in a southern county involved Iowans only. In this encounter a militia captain and twenty of his troops raided a house and made a substantial haul of twelve Copperheads, seven rifles, five revolvers, one shotgun, and a supply of ammunition.[55]

Most arrests in Iowa in 1864 designated as "arbitrary arrests" by Iowa newspapers appear to have involved deserters rather than draft evaders or political offenders. Stone was angered, however, at reports that militarily eligible men were leaving the state in large numbers when a draft appeared imminent in the winter of 1864. He therefore issud a proclamation stating "I hereby forbid all citizens of Iowa removing beyond the limits of the state before the 10th of March next."[56] The constitutionality of this order was never tested. In October, 1864, the one and only draft of Iowa manpower occurred. One incident marred the process. A U.S. deputy marshal, ordered to arrest several alleged draft evaders, lost his life in an ambush in south central Iowa near Grinnell. Two of the assailants escaped. A third was captured and sentenced to life imprisonment. State authorities quieted the area, conducted an investigation, and disbanded a politically suspect guard unit, the "Democratic Rangers."[57]

By 1865, with the war's end in sight, Iowa was relatively calm. The southern border remained quiet and the campaign of harassment against Copperheads lost momentum. Hoxie resigned his posts as U.S. marshal and as head of the state Republican central committee to join the Union Pacific Railroad management. He wrote General Dodge

[53] *Adjutant General's Report 1864*, pp. 872-873.
[54] *Ibid.*, pp. 1419-1428.
[55] Samuel F. Glenn to Baker, Oct. 8, 1864, Disloyal Sentiment File.
[56] *Adjutant General's Report 1864*, pp. 852-853.
[57] *Ibid.*, pp. 1411-1415.

from Washington that "The office [of marshal] is not worth having and I have been a fool to keep it. True it is power—but what is power after all."[58] Throughout the war Hoxie had been a despised figure among Democrats. The marshal was not one to be deterred by such criticism. And despite his letter to Dodge, he evidently enjoyed much of the work. As one of Hoxie's friends wrote to Dodge: "Hub sends his regards. He lets on to be very busy and I suppose that he is, he says that he has a kind of general supervision of affairs civil and military in the state and has diverstimes threatened me with arrest."[59]

The official relationships between Hoxie, governors Kirkwood and Stone, and Baker with respect to keeping the peace, ferreting out subversives, and suppressing critics of federal and state policy, cannot easily be drawn on any hypothetical table of organization. Hoxie was a federal officer with power to act on his own. But indications are that he generally consulted with the governors, particularly Kirkwood, before major moves against individuals. This was probably true in Mahony's case, for example. In the weeks prior to his arrest Mahony had been touted as a contender for the Democratic nomination for Congress from Iowa's third district. After the arrest Mahony's friends rammed his nomination through the district convention despite strenuous objections from War Democrats. Hoxie's act forced Mahony to campaign as best he could from Old Capitol Prison, ineffectively as it turned out.[60]

The marshal wrote Kirkwood and the adjutant general frequently when he was gone from Des Moines. It appears that there was little friction among them, or at least friction which would have adversely affected their police duties. Those Iowa citizens who wrote to Des Moines about troubled conditions or about Copperhead activities addressed all three men, although far more letters went to Kirkwood than to the other two and many more to Baker than to Hoxie.

The mode of operation of all these officials was not highly systematic. They did not usually employ investigators to keep them abreast of developments in trouble spots although Hoxie did glorify one informant by labeling him a "detective." They instead depended upon letters from city, county or militia officials, state legislators, or newspaper editors and other private citizens. Occasionally on their own they wrote letters of inquiry to persons in specific locations where trouble was anticipated. But systematic or not, there was a crude effectiveness about the ways they performed their duties. Baker was an excellent, hard-driving organizer, and did as much as any man to put the state's fighting regi-

[58] Hoxie to Dodge, Feb. 24, 1865, Dodge Correspondence.
[59] Marcellus Crocker to Dodge, July 24, 1864, *ibid.*
[60] Dubuque *Herald*, Aug. 15-25, 1862; Leland Sage, *William Boyd Allison* (Iowa City, 1956), pp. 52-54; Mahony, *Prisoner of State*, pp. 169-170.

ments, militia, and home guard units on a sound footing. Successive governors retained him at his post until he died during the next decade. Kirkwood, like the other two, proved decisive in action and dedicated to the task of making Iowa an effective participant in the war to preserve the Union.

All three, as did Stone, overestimated the internal "Copperhead menace," particularly the spread and strength of secret societies opposed to the war. On the other hand, in their defense it must be said that there *were* groups of men—"banded simply by community or sentiment"—who opposed Republicans, the draft, army service, federal taxes, and the war. These groups constituted a sporadic threat to public safety and public policy in time of crisis, even though their acts and words appear in retrospect as the acts and words of men strictly on the defensive.[61] To subdue this threat, state and federal officials in Iowa arrested slightly more than two hundred persons between January, 1862, and January, 1865. Of this number, seventy were clearly political arrests. All seventy were made in 1862 and 1863, most of them (forty-one) in August and September of the former year. Few victims, if any, were held longer than six months, most for considerably shorter periods of time. The rest of the two hundred were largely arrests of persons accused of desertion or draft evasion.[62]

Two things resulted from the sometimes heavy-handed action taken against opponents of a war policy. First, the objects of official displeasure were not converted into loyalists. The reverse was more often the case as attested to by the various defiant celebrations given in honor of arrest victims when they returned to their home towns.[63] Second, if they did not convert their opponents, Kirkwood, Stone, Hoxie, and Baker, by not acting in timorous fashion, did make clear that such violence and separatism as existed in Missouri (where, of course, opposing forces were more equal), would not be tolerated in Iowa.

In the process, these officials frequently ignored or bypassed lawful procedures. Those who suffered were Democrats almost without exception. A few leading Republican newspapers disapproved of the arrests of opposition editors. Others, however, equally fair-minded and

[61] For rather contrasting analyses of secret societies in wartime Iowa, see two of the better county histories: Frank Hickenlooper, *An Illustrated History of Monroe County, Iowa* (Albia, Iowa, 1896), pp. 145-146; Union Historical Co., *The History of Mahaska County, Iowa* (Des Moines, 1878), p. 374.

[62] There are no official records of "arbitrary arrests" made in Iowa during the Civil War. I have arrived at these figures by cross-checking reports of arrests in the Iowa newspapers, the *OR*, and in the letter collections of public officials and private citizens in the IHD and the State Historical Society of Iowa, Iowa City.

[63] Dubuque *Herald*, Nov. 16, 1862; Dubuque *Times*, Nov. 18, 1862; Burlington *Argus*, Dec. 5, 1862; Des Moines *Register*, Dec. 21, 1862; Winterset *Madisonian*, in *ibid.*, Dec. 16, 1862.

sincere, believed such arrests were necessary "for the public good." The latter sentiment was undoubtedly far more prevalent among the citizens of the state, particularly among those adhering to the majority party. One worried Republican did, one day in 1864, write Adjutant General Baker that Democrats were making political capital out of an alleged threat by Baker to make political arrests with or without recourse to lawful processes. This letter is unique among those in the state archives which were written in the latter part of the war. Its author, one John Miller of Iowa City, believed in the preservation of civil liberties and the rule of law—even for Democrats.[64] There is no record showing that Baker bothered to reply.

[64] John Miller to Baker, Oct., 1864, Disloyal Sentiment File.